

Amendments to the Drawings:

The attached replacement drawing sheets make changes to Figs. 1, 2 and 4 and replace the original sheets with Figs. 1, 2 and 4.

Attachment: Replacement Sheets

REMARKS

Claims 1-9 are pending in this application. The Office Action objects to the drawings; objects to claims 6-9; withdraws claims 1-4 from consideration; and rejects claim 5 under 35 U.S.C. §102(b). Applicants hereby amend Figs. 1, 2 and 4, amend claim 5, and traverse the rejections. Support for the amendments can be found in the specification as filed, for example, at page 9, lines 4-8. No new matter is added.

Applicants thank the Examiner for the indication that claims 6-9 are objected to as dependent upon a rejected base claim, but are otherwise allowable.

I. Restriction Requirement

Claims 1-4 are withdrawn from consideration as subject to a Restriction Requirement. Applicants traverse the Restriction Requirement.

It is respectfully submitted that the subject matter of all claims 1-9 is sufficiently related that a thorough search for the subject matter of elected claims 5-9 would encompass a search for the subject matter of the remaining claims 1-4. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

II. Drawings

The Office Action objects to Fig. 1 and Fig. 4 for containing incorrect number labeling. Applicants amend Figs. 1, 2 and 4 for consistency with the specification. Thus, the

drawings are in compliance with 37 C.F.R. §1.121(d). Reconsideration and withdrawal of the objection are earnestly solicited.

III. Rejection Under 35 U.S.C. §102

The Office Action rejects claim 5 under 35 U.S.C. §102(b) as anticipated by Berndt. The Office Action asserts that Berndt discloses each feature of instant claim 5. Applicants amend instant claim 5, and respectfully traverse the rejection.

Berndt discloses a coalescer type of filter that allows water to pass through the filter. See Berndt at for example col. 5, lines 49-61. Nowhere does Berndt disclose a coalescer filter that prohibits the passage of water.

In contrast, instant independent claim 5 recites "wherein the coalescer type of filter allows the *solvent* to pass through the fibers of the filter member, whereas the *water* is condensed into large drops and the water drops are collected at the bottom of the tank." Support for this amendment can be found in the specification as filed, for example, at page 9, lines 4-8. In other words, water cannot pass the filter but stays at the bottom of the tub. This feature is nowhere disclosed, either inherently or expressly, in Berndt. Thus, instant claim 5, from which claims 6-9 depend, is not anticipated by Berndt.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:RCC/amw

Attachment:
Replacement Sheets

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